

~~AMENDMENT TO H.R. 6~~

OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the bill, add the following new title:

1 **TITLE XXVII—ENVIRONMENTAL**
2 **JUSTICE**

3 **SEC. 2701. EXECUTIVE ORDER 12898.**

4 The provisions of Executive Order 12898, dated Feb-
5 ruary 11, 1994, pertaining to Federal actions to address
6 environmental justice in minority populations and low-in-
7 come populations, shall remain in force until changed by
8 law. In carrying out such executive order, the provisions
9 of this title shall apply.

10 **SEC. 2702. ADDITIONAL PROVISIONS RELATING TO ENVI-**
11 **RONMENTAL JUSTICE.**

12 (a) **DEFINITION OF ENVIRONMENTAL JUSTICE.**—For
13 purposes of Executive Order 12898, environmental justice
14 is the fair treatment and meaningful involvement of all
15 people regardless of race, color, national origin, edu-
16 cational level, or income with respect to the development,
17 implementation, and enforcement of environmental laws,
18 regulations, and policies. Environmental justice seeks to
19 ensure that minority and low-income communities have
20 adequate access to public information relating to human



1 health and environmental planning, regulations, and en-
2 forcement. Environmental justice ensures that no popu-
3 lation, especially the elderly and children, are forced to
4 shoulder a disproportionate burden of the negative human
5 health and environmental impacts of pollution or other en-
6 vironmental hazard.

7 (b) IDENTIFICATION AND PRIORITIZATION OF ENVI-
8 RONMENTAL JUSTICE COMMUNITIES.—For purposes of
9 Executive Order 12898, criteria for defining an environ-
10 mental justice community shall include demographic char-
11 acteristics, such as percentages of minority and low-in-
12 come residents within an area, as well as—

13 (1) health vulnerabilities, such as cancer mor-
14 tality and incidence rate, infant mortality, low birth
15 weight, asthma, and childhood lead poisoning; and

16 (2) environmental conditions, such as facility
17 density and proximity to Corrective Action/Super-
18 fund Sites, Enforcement Data (percent and number
19 of uninspected facilities, percent and number of
20 unaddressed violations, average and total penalty
21 and air nonattainment status), emissions, attain-
22 ment status, indoor air issues, 305b stream data,
23 fish advisories, beach closings, and truck traffic.

24 (c) ESTABLISHMENT OF OFFICES OF ENVIRON-
25 MENTAL JUSTICE.—For purposes of Executive Order

1 12898, each of the following shall establish an Office of
2 Environmental Justice:

3 (1) Department of Health and Human Services.

4 (2) Department of Housing and Urban Devel-
5 opment.

6 (3) Department of Defense.

7 (4) Department of Labor.

8 (5) Department of Agriculture.

9 (6) Department of Transportation.

10 (7) Department of Justice.

11 (8) Department of the Interior.

12 (9) Department of Commerce.

13 (10) Department of Energy.

14 (11) Environmental Protection Agency.

15 (12) Office of Management and Budget.

16 (13) Office of Science and Technology Policy.

17 (14) Office of the Deputy Assistant to the
18 President for Environmental Policy.

19 (15) Office of the Assistant to the President for
20 Domestic Policy.

21 (16) National Economic Council.

22 (17) Council of Economic Advisers.

23 (18) Such other Government officials as the
24 President may designate.



1 (d) INTEGRATION OF ENVIRONMENTAL JUSTICE
2 POLICIES IN AGENCY ACTIONS.—For purposes of the en-
3 vironmental justice strategies developed by agencies under
4 Executive Order 12898, each agency shall integrate the
5 strategy into the operation and mission of the agency and
6 explicitly address compliance with this Act, including in
7 the following activities:

8 (1) Future rulemaking activities.

9 (2) The development of any future guidance,
10 environmental reviews (including NEPA, CAA, Fed-
11 eral Land Policy Act), regulation, or procedures for
12 Federal agency programs, policies, or activities that
13 affect human health or the environment.

14 (e) INTERAGENCY FEDERAL WORKING GROUP CO-
15 ORDINATION AND GUIDANCE.—The interagency Federal
16 Working Group on Environmental Justice (in this section
17 referred to as the “Working Group”) shall—

18 (1) coordinate an integrated environmental jus-
19 tice training plan for the Federal agencies and of-
20 fices listed in subsection (c);

21 (2) formalize public participation efforts;

22 (3) survey the Federal agencies and offices to
23 determine what is effective and how to best facilitate
24 outreach without duplicating efforts;

1 (4) develop a strategy for allocating responsibil-
2 ities and ensuring participation, even when faced
3 with competing agency priorities; and

4 (5) coordinate plans to communicate research
5 results so reporting and outreach activities produce
6 more useful and timely information.

7 (f) AGENCY PUBLIC PARTICIPATION EFFORTS.—

8 (1) OUTREACH EFFORTS.—Each Federal agen-
9 cy listed in subsection (c) shall carry out and report
10 outreach activities to the Working Group, including
11 the following:

12 (A) Respond directly to inquiries from the
13 public and other stakeholders.

14 (B) Maintain websites and listservers.

15 (C) Produce and distribute hardcopy docu-
16 ments and multimedia products.

17 (D) Conduct or sponsor briefings, lectures,
18 and press conferences.

19 (E) Testify before Congress or other gov-
20 ernment bodies.

21 (F) Finance scholarships, fellowships, and
22 internships.

23 (G) Support museum exhibits and other
24 public displays.



1 (H) Sponsor, participate, or otherwise con-
2 tribute to meetings attended by stakeholders.

3 (I) Provide scientifically-sound content for
4 K-12 education activities; and

5 (J) fund outreach efforts managed outside
6 the Federal Government.

7 (2) STAKEHOLDERS.—To ensure their active
8 public participation and to provide input early in en-
9 vironmental decision-making, Federal agencies along
10 with the Working Group shall develop ways to en-
11 hance partnerships and coordination with stake-
12 holders, including affected communities, Federal,
13 Tribal, State, and local governments, environmental
14 organizations, nonprofit organizations, academic in-
15 stitutions (including Historically Black Colleges and
16 Universities (HBCUs), Hispanic Serving Institutions
17 (HSIs), and Tribal Colleges), and business and in-
18 dustry.

19 (g) COMMUNITY TECHNOLOGY CENTERS.—

20 (1) IN GENERAL.—Federal agencies shall fund
21 community technology centers to assist with tech-
22 nical assistance issues in the environmental justice
23 area.

24 (2) DESCRIPTION.—In this subsection, the term
25 “community technology center” (CTC) refers to pro-

grams with the goal of providing at least 10 hours of open access a week for anyone in a community, especially youth and adults in low-income urban and rural communities, for purposes of providing technical assistance to communities experiencing issues of environmental hazards.

(3) LOCATION.—A community technology center may be located in places such as libraries, community centers, schools, churches, social service agencies, low-income residential housing complexes, and Minority Academic Institutions (such as Historically Black Colleges and Universities, Hispanic Serving Institutions, and Tribal Colleges).

(4) ACTIVITIES OF COMMUNITY TECHNOLOGY CENTER.—A community technology center funded under this section shall—

(A) assist community members in becoming active participants in cleanup and environmental development activities;

(B) provide independent and credible technical assistance to communities affected by hazardous waste contamination;

(C) review and interpret technical documents and other materials;

1 (D) sponsor workshops, short courses, and
2 other learning experiences to explain basic
3 science and environmental policy;

4 (E) inform community members about ex-
5 isting technical assistance materials, such as
6 publications, videos, and web sites;

7 (F) offer training to community leaders in
8 facilitation and conflict resolution among stake-
9 holders; and

10 (G) create technical assistance materials
11 tailored to the identified needs of a community.

